

Feb. 1. 2006 4:09PM

RECEIVED  
CENTRAL FAX CENTER

No. 0007 P. 1

FEB 01 2006

**HAYNES BEFFEL & WOLFELD LLP**

INTELLECTUAL PROPERTY LAW  
P.O. Box 366, 751 Kelly Street  
Half Moon Bay, CA 94019  
Phone 650-712-0340 Fax 650-712-0263  
www.HMBay.com

MARK HAYNES  
ERNIE BEFFEL  
WARREN WOLFELD  
JIM HANN

*Of Counsel:*  
\*BILL KENNEDY  
KENTA SUZUKI  
PETER SU  
\*\*JOSEPH E. ROOT

\*admitted in MA only  
\*\*admitted in NY only

**FACSIMILE TRANSMITTAL FORM**

FAX NUMBER:	(571) 273-8300
TRANSMITTED TO:	Central Fax
OF:	U.S. Patent and Trademark Office
FROM:	Mark A. Haynes/Kathryn Marley
CLIENT/MATTER:	RXSD 1001-3 (09/830,488)
DATE:	01 FEBRUARY 2006

TOTAL NUMBER OF PAGES INCLUDING THIS COVER SHEET:	12
---------------------------------------------------	----

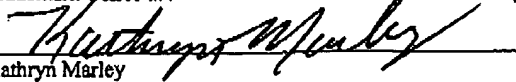
ORIGINAL:	
<input checked="" type="checkbox"/>	WILL NOT FOLLOW
<input type="checkbox"/>	FOLLOWS VIA U.S. MAIL
<input type="checkbox"/>	FOLLOWS VIA COURIER

THE DOCUMENTS ACCOMPANYING THIS TELECOPY TRANSMISSION CONTAIN INFORMATION FROM HAYNES BEFFEL & WOLFELD LLP AND ARE FOR THE SOLE USE OF THE ABOVE INDIVIDUAL OR ENTITY, AND MAY BE PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER LAW. ANY OTHER DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE IF YOU ARE NOT THE INTENDED RECIPIENT AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOUR REASONABLE PHONE AND POSTAGE EXPENSE FOR DOING SO.

Application No. 09/830,488

Attorney Docket No. RXSD 1001-3

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**  
I hereby certify that this correspondence is being facsimile  
transmitted to Commissioner for Patents, United States Patent and  
Trademark Office at Fax No. 571-273-8300 on 01 February 2006.

  
Kathryn Marley

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of inventor(s):  
**Vincent Pluvinae et al.**

Application No. **09/830,488**

Confirmation No. **8079**

Filing Date: **26 April 2001**

Title: **System and Method for Producing  
and Storing Hearing Profiles and  
Customized Audio Data Based on  
Such Hearing Profiles**

Group Art Unit: **2155**  
Examiner: **Kevin T. Bates**

**CUSTOMER NO. 22470**

**RECEIVED  
CENTRAL FAX CENTER  
FEB 01 2006**

**MAIL STOP AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
UNDER 37 C.F.R. §1.121**

Sir:

In response to the Notice of Non-Compliant Amendment mailed 11 January 2006,  
Applicants request entry of the following amendments in the above-referenced application:

**Amendments to the Claims begin on page 2 of this paper.**

**Remarks begin on page 10 of this paper.**

///